

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO

UNITED STATES OF AMERICA,

Plaintiff,

vs.

GREGORY X. BOEHM,

Defendant.

:
:
:
:
:
:
:
:
:
:
:

CASE NO. 1:00-cr-00337

OPINION & ORDER
[Resolving Doc. [32](#)]

JAMES S. GWIN, UNITED STATES DISTRICT COURT JUDGE:

In 2001, Defendant Gregory X. Boehm pleaded guilty to a single count of healthcare fraud.¹ This Court sentenced Boehm to two years of probation and financial assessments.² Boehm served his probation, paid all his assessments, and has no new convictions.³

Boehm moves the Court for an order confirming he completed his sentence and confirming he is qualified for employment.⁴

For the following reasons, the Court **GRANTS** Boehm's motion.

I. Background

Gregory X. Boehm, M.D., is an addiction and recovery psychiatrist and President of the Ohio Society of Addiction Medicine.⁵ In 2015, Ohio Medicaid permanently excluded Dr. Boehm as a provider because of his conviction.⁶ As a result, Dr. Boehm cannot provide addiction treatment to vulnerable populations, including the homeless and incarcerated.⁷

¹ Docs. [32](#), 21.

² Doc. [32](#) at 1.

³ *Id.*

⁴ *Id.*

⁵ *Id.*; Doc. [32-1](#) at 4.

⁶ Doc. [32](#) at 1.

⁷ Doc. [32-1](#) at 5.

Case No. 1:00-cr-00337
GWIN, J.

II. Discussion

Under Ohio Medicaid rules, a prior guilty plea will not prevent a provider from enrolling with Medicaid if “a certificate of qualification for employment has been issued by an Ohio court . . . or an equivalent certification has been issued by an out of state or federal jurisdiction.”⁸ An Ohio court may issue the certificate if: (1) the individual has complied with the applicable waiting period, (2) it “will materially assist the individual in obtaining employment”, (3) “[t]he individual has a substantial need for the relief requested”, and (4) it “would not pose an unreasonable risk to the safety of the public or any individual.”⁹

Dr. Boehm completed his sentence more than 15 years ago. Moreover, the Court finds that Dr. Boehm needs the certificate to accept employment opportunities and that issuing the certificate would not unreasonably risk public safety.

III. Conclusion

For the forgoing reasons, the Court **GRANTS** Boehm’s motion and certifies he has completed his sentence and is qualified for employment.

IT IS SO ORDERED.

Dated: October 9, 2020

s/ James S. Gwin
JAMES S. GWIN
UNITED STATES DISTRICT JUDGE

⁸ [Ohio Admin. Code § 5160-1-17.8\(F\)\(5\)](#).

⁹ [Ohio Rev. Code § 2953.25](#).